United States
Office of Government Ethics
1201 New York Avenue, NW., Suite 500
Washington, DC 20005-3917

JAN 27 2012

The Honorable Lynn Jenkins
Assistant Whip
United States House of Representatives
1122 Longworth House Office Building
Washington, DC 20515

Dear Representative Jenkins:

Thank you for your recent letter regarding proposed rule RIN 3209-AA04, which as drafted would implement the lobbyist gift ban in Executive Order 13490 for all executive branch employees. The Office of Government Ethics (OGE) appreciates your concerns and interest in the proposed rule.

You have highlighted one of the most important issues in this rulemaking: striking an appropriate balance between affording Executive Branch employees access to educational opportunities that will better inform them while maintaining public confidence in the objectivity of their decisions. OGE received a number of comments expressing concerns similar to yours regarding the proposed limits on the widely attended gathering exception to the gift rules and how such limits might affect the ability of Executive Branch employees to attend educational events sponsored by trade and other non-profit organizations.

A strength of the rulemaking process is an agency's ability to produce better final rules based on the informed comments and suggestions it receives. Having personally reviewed each of the comments received on proposed implementation of the lobbyist gift ban, I can assure you that OGE will consider carefully the importance of maintaining open lines of communication between Executive Branch employees, the private sector, and members of the public before issuing a final rule.

I recognize the significance you and others place on the final rule and appreciate your views on this important matter.

Sincerely,

Don W. Fox
Principal Deputy Director

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